

REMARKS/ARGUMENTS

Claim 1 has been amended for clarity.

Claims 1-4, 6, 7, 9-17, 20, 25 and 26, of which claims 1, 13 and 26 are the only independent claims, stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,583,560 to Florin in view of U.S. Patent 6,133,910 to Stinebruner. Dependent claims 5, 8, 18, 19 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,583,560 to Florin in view of U.S. Patent 6,133,910 to Stinebruner in view of US patent 5,629,733 to Youman. Dependent claims 23 and 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,583,560 to Florin in view of U.S. Patent 6,133,910 to Stinebruner in view of US patent 5,371,553 to Kawamura

The office action applied identical bases for rejection for independent claims 1, 13 and 26, that is, the office action states Florin discloses in Figures 1, 2, 6-18, and 36, a video decoder system that interfaces with a number of devices such as VCR 56 and device 57, and allows a user to select a device and display the programming available on that device via a program guide. The office action further states a user may select a programming source via icons in window 420 in Figure 36 and formats the data for display (column 3, lines 44-59, column 8, line 6-column 10, line 6, column 14, line 47-58, column 16, lines 14-column 17, line 13, column 21, line 41-column 22, line 14). Therefore, the office action asserts it would have been obvious to one skilled in the art at the time of invention to modify the video decoder system of Florin to associate each device menu icon with a program map as disclosed by

Stinebruner thereby enabling a user to control a number of different devices via a common interface.

For efficiency, applicant will discuss these bases together as applied to the independent claims.

Florin

The office action states Florin discloses in Figures 1, 2, 6-18, and 36, a video decoder system that interfaces with a number of devices such as VCR 56 and device 57, and allows a user to select a device and display the programming available on that device via a program guide. The office action further states a user may select a programming source via icons in window 420 in Figure 36 and formats the data for display (column 3, lines 44-59, column 8, line 6-column 10, line 6, column 14, line 47-58, column 16, lines 14-column 17, line 13, column 21, line 41-column 22, line 14).

However, a closer reading of the Florin specification reveals FIG. 36 merely illustrates a menu button for controlling other devices connected to the A/V transceiver (such as CD, VCR, etc.). The icons illustrated in FIG. 36 are provided by the processor (CPU) in response to a user upon pressing the menu button 172 on the remote control device 60, as explained in Florin's specification (Col 41, lines 40-50). Specifically Florin states, "the CPU 63 displays on the screen 180 a graphic overlay panel 420 which is superimposed over the currently viewed audio-visual program." Thus, Florin discloses icons provided by a local CPU. Further, Florin's icons are not displayed in a displayed program guide, but as an overlay superimposed on the currently viewed program.

As for program guide information, Florin states: "The present invention assumes a service provider provides cable television and/or telephone (T/T) service to users via a T/T cable, including a digital channel of program/service listings..."

Applicant's claim 1

Applicant could not identify any part of Florin's specification disclosing or suggesting applicant's claimed step of "a) receiving program guide information for display from at least one source, said program guide information including User selectable menu icons..."

As explained in applicant's specification (page 22, lines 15-30) applicant's invention produces a displayed program guide by "processing and formatting received program guide information that already includes user selection menu options. "Therefore, Applicant's claimed invention does not require a processor to form user selection menu options, thereby conferring an advantage not suggested or disclosed in Florin.

Applicant's claims 13 and 26

Applicants claims 13 and 26 each recite a method for forming a program guide including the step of "generating a menu icon for display in a displayed program guide, said menu icon permitting a user to initiate communication between said video decoder and a device external to said video decoder. " Florin does not disclose or suggest generating such a menu icon for

display in a displayed program guide. On the contrary Florin's icons are displayed as an overlay to the currently viewed program.

Stinebrunner

The office action correctly states Florin does not disclose generating program map information enabling communications between a decoder and an external device. However, the office action states Stinebrunner discloses in Figure 2 a channel map that associates a number of different **devices and channels** with an **ID**, and enables the decoder to communicate with the device after retrieving an **ID** from memory (Figures 4, 10, column 5, line 5- column 10, line 32). However, applicant wishes to point out the map disclosed in Figure 2 is not “program map information in said decoder for associating a **User selectable menu icon with access data**” as recited in applicant's claim 1.

Fig 2 of Stinebrunner merely illustrates a preferred arrangement of data for a series of virtual channels stored in memory (col 7 line 3-4). The data optionally include a channel ID to be displayed on the television and optionally usable for finding channels (col 7 lines 13-15). Thus, the ID illustrated in FIG. 2 of Stinebrunner is a Channel ID. It is not a user selectable menu icon nor is it access data. Thus Figure 2 does not disclose or suggest “program map information in said decoder for associating a **User selectable menu icon with access data**” as recited in applicant's claim 1.

The ID referred to in FIG. 10 of Stinebrunner is a location identifier. The term “location identifier” is defined in Stinebrunner’s specification column 11 lines 44-45 which states “The location identifier may be any information suitable to identify the local broadcast channels available for a given location. For example, suitable identifiers may include zip codes, telephone area codes and exchanges, and street addresses, among others.” Figure 10 illustrates the use of the location identifier as defined above in a “Localize” routine, as explained in column 12 lines 4-20 of Stinebrunner’s specification. Thus Stinebrunner’s “location identifier” is not a user selectable icon nor is it access data, nor does it disclose or suggest “generating program map information in said decoder for associating a **User selectable menu icon with access data**” as recited in applicant’s claim 1.

Claim 1

In contrast, applicant’s claim 1 recites “...generating program map information in said decoder for associating a **User selectable menu icon with access data** enabling initiation of communication between said decoder and said external device in response to selection of said menu icon presented in said program guide information for display;

c) retrieving access data from memory, said access data enabling initiation of communication between said decoder and a device external to said video decoder in response to User selection of said displayed program guide menu option; and

d) formatting said program guide for display. ”

Access data includes identification codes, communication protocol codes, conditional access codes, Internet access codes, e.g. URL codes for web page and email access as well as telephone and fax numbers. It is this access data that enables processor 25 to communicate with external devices. (See applicant's specification page 11 lines 8-15)

Claim 13

Applicant's claim 13 recites a step of generating program map information in said decoder for associating said menu icon with access data enabling establishment of bi-directional communication between said decoder and said external device in response to selection of said menu icon presented in said program guide information for display.

Access data includes identification codes, communication protocol codes, conditional access codes, Internet access codes, e.g. URL codes for web page and email access as well as telephone and fax numbers. It is this access data that enables processor 25 to communicate with external devices. (See applicant's specification page 11 lines 8-15).

Claim 26

Claim 26 recites a step of "generating program map information associating said menu icon with a communication protocol and both request access data and response access data." Stinebruner contains no reference to such a step.

RCA 88,482

Therefore, applicant respectfully submits applicant's independent claims 1, 13 and 26 are neither taught nor suggested by Florin or by Stinebrunner taken alone or in combination. The remaining claims are dependent and are therefore allowable because they include the limitations

of their corresponding independent claim. Since applicant's claimed invention is neither taught nor suggested by Florin or Stinebrunner taken alone or in combination, applicant believes the claims, as amended, are in condition for allowance.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case

Respectfully submitted,
James Edwin Hailey

Jeffrey M. Navon
Registration No. 32,711
(609) 734-6823

July 29, 2003